83143

MAY 0 9 2

PO REC'S PCT/PTO 0 9 MAY 2002

PATENT

THE STATES PATENT AND TRADEMARK OFFICE

In Re U.S. Patent Application

Applicants:

Porat et al.

Serial No.:

09/869,215

Filed:

June 25, 2001

For: System and Method for Establishing an xDSL date transfer link

I hereby certify that this correspondence is being deposited with the United Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, DC 20231, on April 30, 2002

Gerald T. Shekleton Reg. No. 27,466 Date

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. §1.97, a list of documents is disclosed on the attached Form PTO-1449 that may be material to the examination of this application. The cited references are enclosed herewith.

Documents for which the supplied date of publication lists the year of publication without the month were published sufficiently earlier than the effective U.S. filing date and any foreign priority date, so that the particular month of publication is not in issue. Pursuant to §609 of the MPEP, it is understood that the month of publication is not required when the particular month of publication is not in issue.

No inferences should be drawn that the attached list represents a comprehensive investigation, or that any material disclosed is equivalent to the subject invention. In addition, none of the documents that have publication dates prior to the priority date of the above application anticipate the invention in this application.

5

Applicant avers that no art cited herein was cited in a communication from a foreign Patent Office

in a counterpart foreign application or, to the knowledge of the person signing the certification after making

reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the

filing of this Statement.

The cited document(s) disclose numerous specific features. There has been no attempt to list each

and every feature disclosed by each document. The Examiner is requested to review the document(s) and

determine the extent of the materiality of the document disclosures with respect to the present invention.

The discussion of any art and the citation of any document(s) herein is not to be construed as an

admission that the art or document disclosure is necessarily within the invention field of endeavor, that the

art or document disclosure is necessarily prior in time to a particular date which may be relevant to the

instant patent application, and/or that the art or document disclosure is otherwise necessarily prior art as

defined by the patent law with respect to the instant invention and application.

Also, there is reserved the right to later set forth how the instant invention is distinguished over the

disclosure of any document or other art, including the disclosures of the art and document(s) recited herein,

that may be cited by the Examiner in rejecting a claim in the instant patent application. The recitation

herein of the art and document(s) is not to be construed as an assertion that more pertinent art could not

possibly be in existence.

Respectfully submitted,

Gerald T. Shekleton

Registration No. 27,466

Dated: April 26, 2002

WELSH & KATZ, LTD.

120 South Riverside Plaza

22nd Floor

Chicago, Illinois 60606

Telephone: 312-655-1500

Examiner

Date Considered

*Examiner:

Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.